

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Nancy Goodman, <i>et al.</i> , Plaintiffs, v. J.P. Morgan Investment Management, Inc., <i>et al.</i> , Defendants.	Civil No. 2:14-CV-414 Chief Judge Sargus Magistrate Judge Jolson
Campbell Family Trust, et al., Plaintiffs, v. J.P. Morgan Investment Management, Inc., <i>et al.</i> , Defendants.	Civil No. 2:15-CV-2923 Chief Judge Sargus Magistrate Judge Jolson

**PLAINTIFFS' UNOPPOSED MOTION TO DISMISS CERTAIN
CLAIMS AND PARTIES AND INCORPORATED MEMORANDUM IN SUPPORT**

Plaintiffs in the above-captioned action respectfully move the Court to: (1) dismiss from the case Plaintiff Joseph Lipovich; (2) dismiss from the case all claims asserted by Plaintiffs regarding, and on behalf of, the JP Morgan Strategic Income Opportunities Fund (“the Strategic Opportunities Fund”); and (3) dismiss claims asserted by Plaintiff Jacqueline Peiffer regarding, and on behalf of, the JP Morgan Mid Cap Value Fund (the “Mid Cap Value Fund”) only¹.

¹ Plaintiff Campbell Family Trust continues to assert claims regarding and on behalf of the Mid Cap Value Fund. Plaintiff Peiffer continues to assert claims regarding and on behalf of the JPMorgan Value Advantage Fund and the JPMorgan US Equity Fund in this action, as well as the JPMorgan Core Bond, JPMorgan High Yield Fund, and JPMorgan Short Duration Bond

Plaintiffs have met and conferred with Defendants regarding these proposed dismissals, and Defendants do not oppose this motion.

Plaintiffs in the above-captioned action consist of seven parties—the Campbell Family Trust, Jack Hornstein, Anne H. Bradley, Casey Leblanc, Jacqueline Peiffer, Joseph Lipovich, and the Valderrama Family Trust. Collectively, these seven parties hold shares in three funds in which Defendant JPMorgan Investment Management, Inc. is the investment advisor—the Mid Cap Value Fund, the JPMorgan Large Cap Growth Fund, and the JPMorgan Value Advantage Fund.

Plaintiff Joseph Lipovich no longer holds shares in the Strategic Opportunities Fund, and therefore, he no longer has standing to assert claims on behalf of that fund. Because Plaintiff Lipovich’s only claim in this case was on behalf of the Strategic Opportunities Fund, and because none of the other Plaintiffs hold the Strategic Opportunities Fund, Plaintiffs now seek to dismiss both Plaintiff Lipovich and the claims on behalf of the Strategic Opportunities Fund from the case.

Plaintiff Jacqueline Peiffer does not hold shares in the Mid Cap Value Fund, and therefore, she seeks to dismiss her claims regarding the Mid Cap Value Fund. Plaintiff Campbell Family Trust continues to hold the Mid Cap Value Fund, and it continues to assert claims against the Defendants with regard to and on behalf of the Mid Cap Value Fund. In addition, Plaintiff Peiffer continues to hold the JPMorgan Value Advantage Fund and the JPMorgan US Equity Fund, and thus continues to assert claims in this case against the Defendants with regard to and on behalf of those funds.

Fund in the consolidated companion action *Goodman et al. v. JP Morgan Investment Management, Inc. et al.*, Case No. 2:14-cv-00414 (S.D. Ohio).

Prior to filing this motion, Plaintiffs reached out to Defendants to seek their consent to the dismissals discussed above. On December 6, 2016, counsel for Defendants informed Plaintiffs that Defendants do not oppose this motion. Accordingly, Plaintiffs respectfully request that the Court: (1) dismiss Plaintiff Lipovich from the case; (2) dismiss all claims brought on behalf of the Strategic Opportunities Fund; and (3) dismiss Plaintiff Peiffer's claim with respect to the Mid Cap Value Fund only. Each party will bear its own fees and costs.

Respectfully submitted,

Dated: December 12, 2016

MEYER WILSON CO., LPA

/s/ Matthew R. Wilson

David P. Meyer (Ohio Bar #0065205)

Matthew R. Wilson (Ohio Bar # 0072925)

Michael J. Boyle, Jr. (Ohio Bar #0091162)

1320 Dublin Road, Suite 100

Columbus, OH 43215

Tel: (614) 224-6000

Fax: (614) 224-6066

ZWERLING, SCHACHTER

& ZWERLING, LLP

Robin F. Zwerling (admitted *pro hac vice*)

Jeffrey C. Zwerling (admitted *pro hac vice*)

Susan Salvetti (admitted *pro hac vice*)

Andrew W. Robertson (admitted *pro hac vice*)

41 Madison Avenue

New York, NY 10010

Tel: (212) 223-3900

Fax: (212) 371-5969

ROBBINS ARROYO, LLP

Stephen J. Oddo
Gregory Del Gaizo
600 B Street, Suite 1900
San Diego, CA 92101
Tel: (619) 525-3990
Fax: (619) 525-3991

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for Defendants who are registered with ECF.

/s/ Matthew R. Wilson

Matthew R. Wilson

One of the Attorneys for Plaintiffs